

21 MAG 8629

Approved:

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Before: HONORABLE DEBRA FREEMAN
 United States Magistrate Judge
 Southern District of New York

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UNITED STATES OF AMERICA	:	<u>COMPLAINT</u>
	:	
- v. -	:	Violations of
	:	21 U.S.C. § 846;
THOMAS CORDRAY,	:	18 U.S.C. §§ 924(c), 2
	:	
Defendant.	:	COUNTIES OF OFFENSE:
	:	NEW YORK, BRONX

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SOUTHERN DISTRICT OF NEW YORK, ss.:

MATTHEW DEAN, being duly sworn, deposes and says that he is a Special Agent with the Federal Bureau of Investigation (the "FBI"), and charges as follows:

COUNT ONE
 (Narcotics Conspiracy)

1. From at least in or about 2020, up to and including at least on or about August 31, 2021, in the Southern District of New York and elsewhere, THOMAS CORDRAY, the defendant, and others known and unknown, intentionally and knowingly did combine, conspire, confederate, and agree together and with each other to violate the narcotics laws of the United States.

2. It was a part and an object of the conspiracy that THOMAS CORDRAY, the defendant, and others known and unknown, would and did distribute and possess with intent to distribute a controlled substance, in violation of Title 21, United States Code, Section 841(a)(1).

3. The controlled substance that THOMAS CORDRAY, the defendant, and others known and unknown, conspired to distribute and possess with intent to distribute was 50 grams and more of mixtures and substances containing a detectable amount of

methamphetamine, its salts, isomers, and salts of its isomers, in violation of Title 21, United States Code, Section 841(b) (1) (B)).

(Title 21, United States Code, Section 846.)

COUNT TWO
(Firearms Offense)

4. In or about 2021, in the Southern District of New York and elsewhere, THOMAS CORDRAY, the defendant, during and in relation to a drug trafficking crime for which he may be prosecuted in a court of the United States, to wit, the narcotics conspiracy charged in Count One of this Complaint, knowingly did use and carry a firearm, and, in furtherance of such crime, did possess a firearm, and did aid and abet the use, carrying, and possession of a firearm.

(Title 18, United States Code, Sections 924(c) (1) (A) (i) and 2.)

The bases for my knowledge and the foregoing charges are, in part, as follows:

5. I am a Special Agent with the FBI. I have been personally involved in the investigation of this matter. This Affidavit is based upon my personal participation in the investigation, my examination of reports and records, and my conversations with other law enforcement officers and other individuals. Because this Affidavit is being submitted for the limited purpose of demonstrating probable cause, it does not include all the facts that I have learned during the course of my investigation. Where the contents of documents and the actions, statements, and conversations of others are reported herein, they are reported in substance and in part, except where otherwise indicated.

6. Based on my participation in this investigation, including my conversations with other law enforcement officers and a confidential source, as described below; my review of law enforcement reports and records; and my training and experience, I have learned the following, in substance and in part:

a. Since at least in or about December 2019, law enforcement has been investigating certain individuals (the "Target Subjects") suspected of engaging in narcotics trafficking in and around Manhattan and Suffolk County, New York, among other locations. In particular, the Target Subjects are suspected of trafficking large quantities of methamphetamine, at least some of

which they obtain from suppliers in Manhattan and elsewhere. One of the Target Subjects is THOMAS CORDRAY, the defendant.

b. On or about February 23, 2017, in Suffolk County Court, CORDRAY was convicted of criminal possession of a controlled substance in the the fourth degree, in violation of New York Penal Law § 220.09(1).

c. On or about May 6, 2021, in Suffolk County, law enforcement arrested CORDRAY in possession of a loaded firearm ("Firearm-1"). In connection with his arrest, CORDRAY stated to law enforcement, in sum and substance, that he had purchased Firearm-1 for his protection.

d. On or about July 26, 2021, at a particular residence ("Residence-1") in Suffolk County, CORDRAY met with a confidential source ("CS-1")¹ working with law enforcement. At Residence-1, CORDRAY showed CS-1 a large quantity of a substance that CS-1 believed to be methamphetamine, based on CS-1's significant experience purchasing and using methamphetamine. CORDRAY also showed CS-1 a firearm ("Firearm-2"), and stated to CS-1, in sum and substance, that he had to keep Firearm-2 nearby for his protection.

e. On or about July 29, 2021, at another particular residence ("Residence-2") in Suffolk County, CORDRAY sold approximately three grams of a substance that later field-tested positive for methamphetamine to CS-1 (the "July 2021 Sale"). CS-1 saw CORDRAY remove the approximately three grams of methamphetamine from a cabinet that contained a larger quantity of a substance that CS-1 believed was also methamphetamine. On or about that date, CORDRAY was legally prohibited from being at Residence-2 by an order of protection (the "Order of Protection") that had been signed by a Suffolk County judge in or about 2018, and which remains in effect as of the date of this Affidavit.

f. On or about August 5, 2021, in a parking lot in Suffolk County, CORDRAY sold another approximately three grams

¹CS-1 has been working with law enforcement since in or around 2021 in exchange for payment. Before CS-1 began working with law enforcement, CS-1 was convicted of robbery and grand larceny and engaged in the illegal purchase and use of narcotics, including methamphetamine. Information that CS-1 has provided to law enforcement has been deemed credible and reliable, and has been corroborated through independent means, including recorded communications, law enforcement surveillance, physical evidence, and information provided by other witnesses.

of a substance that later field-tested positive for methamphetamine to CS-1 (the "August 2021 Sale").

g. In or about July and August 2021, CORDRAY used the call number assigned to two cellphones (the "CORDRAY Cellphones") to communicate with CS-1, including to arrange the July 2021 Sale and the August 2021 Sale. On or about August 18, 2021, Magistrate Judge Sarah L. Cave of the Southern District of New York signed a warrant (the "August 18 Warrant") for historical and prospective location information for the CORDRAY Cellphones. A review of the information provided by the service providers for the CORDRAY Cellphones in response to the August 18 Warrant shows that, in or about July and August 2021, the CORDRAY Cellphones were frequently located at or around Residence-1 and Residence-2.

h. On or about August 26, 2021, CORDRAY stated to CS-1, in sum and substance, that he had recently traveled to New York City to purchase methamphetamine.

i. On or about August 31, 2021, Magistrate Judge A. Kathleen Tomlinson of the Eastern District of New York signed warrants (the "August 31 Warrants") authorizing searches of Residence-1, a garage attached to Residence-2 ("Garage-1"), and a vehicle ("Vehicle-1") that law enforcement had seen CORDRAY driving on numerous occasions in or around July and August 2021.

j. In or around the evening of August 31, 2021, law enforcement surveilled CORDRAY at or around Residence-2, in violation of the Order of Protection. At or around 9:30 p.m., law enforcement began conducting a search of Garage-1 pursuant to the August 31 Warrants. During the search, law enforcement found a quantity of a substance that later field-tested positive for methamphetamine; narcotics paraphernalia, including packaging materials and a digital scale; and three vials of a liquid substance that, based on my training and experience, I believe to be *gamma*-Hydroxybutyric acid ("GHB"). Based on my training and experience, I have learned that users of methamphetamine often use GHB at or around the same time that they use methamphetamine to enhance the experience. I have further learned that, because of this widespread practice, narcotics traffickers who distribute methamphetamine also frequently distribute GHB.

k. At or around the time that law enforcement was conducting its search of Garage-1, law enforcement saw CORDRAY inside a vehicle in the vicinity of Residence-2. Shortly thereafter, law enforcement arrested CORDRAY based on his earlier violation of the Order of Protection.

l. After the arrest of CORDRAY, law enforcement transported him to a law enforcement facility, where he signed a written waiver of his *Miranda* rights and agreed to be interviewed by law enforcement. During the subsequent interview of CORDRAY, which was recorded by video, he stated, in sum and substance, that in or about August 2021, he had traveled from Suffolk County, through the Bronx, to New Jersey, where he bought approximately 56 grams of methamphetamine from a source of supply ("CC-1"). CORDRAY further stated, in sum and substance, that also in or around August 2021, he had traveled from Suffolk County to Brooklyn, where he bought approximately 170 grams of methamphetamine from CC-1.

m. A review of the information provided by the service providers for the CORDRAY Cellphones in response to the August 18 Warrant shows that, on or about August 22, 2021, one of the CORDRAY Cellphones ("Cellphone-1") traveled from at or around Residence-1, to in or around the Bronx, to in or around New Jersey. Shortly after arriving in or around New Jersey, Cellphone-1 traveled to Residence-2, and ultimately back to Residence-1. A review of license-plate-reader data associated with Vehicle-1 shows that, on or about the same date, Vehicle-1 traveled from in or around the Bronx to in or around New Jersey, and then in the direction of Long Island.

n. On or about August 31, 2021, during the law enforcement interview of CORDRAY described above, he also stated, in sum and substance, that he had possessed firearms for protection from and to threaten other narcotics traffickers; that he had robbed and threatened other narcotics traffickers; and that, on at least one occasion, he had used zip ties to restrain another narcotics trafficker. Additionally, CORDRAY stated, in sum and substance, that he had been trafficking narcotics for at least approximately one year, and that the amount of narcotics that he is currently trafficking is less than the amount of narcotics that he was trafficking approximately one year ago.

o. On or about September 1, 2021, law enforcement conducted a search of Residence-1 pursuant to the August 31 Warrants. During the search, law enforcement found quantities of substances that later field-tested positive for cocaine base and fentanyl, as well as a quantity of what I believe to be psychedelic mushrooms, based on my training and experience.

p. On or about September 1, 2021, CORDRAY appeared before a Suffolk County judge in connection with his August 31, 2021 arrest for violating the Order of Protection. The judge remanded CORDRAY, who is currently detained at the Yaphank Correctional Facility in Suffolk County.

WHEREFORE, I respectfully request that a warrant be issued for the arrest of THOMAS CORDRAY, the defendant, and that he be arrested, and imprisoned or bailed, as the case may be.

s/Matthew Dean, by the Court, with permission

MATTHEW DEAN

Special Agent

Federal Bureau of Investigation

Sworn to before me through the transmission of this Affidavit by reliable electronic means, pursuant to Rules 4.1 and 41(d)(3) of the Federal Rules of Criminal procedure, this 2nd day of September, 2021

(by FaceTime)



HONORABLE DEBRA FREEMAN
United States Magistrate Judge
Southern District of New York